

**COOK COUNTY COMMISSION ON HUMAN RIGHTS**

69 West Washington Street, Suite 3040  
Chicago, Illinois 60602

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Eunice LOCKETT, Complainant	)	
	)	
v.	)	Case No. 2009E031
	)	Hearing Officer: Violet Clark
JOHN H. STROGER, JR. HOSPITAL,	)	Entered: April 15, 2014
Respondent	)	

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**ORDER**

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On April 29, 2009, Complainant Eunice Lockett (“Lockett”) filed a complaint against Respondent John H. Stroger, Jr. Hospital (“Respondent”), for allegedly discriminating against her on the basis of a disability in violation of the Cook County Human Rights Ordinance (“Human Rights Ordinance”). The Cook County Commission on Human Rights (“Commission”) set this matter for a hearing on Lockett’s allegations, but during a pre-hearing conference on September 14, 2010, Lockett stated that she would withdraw her claim if she received certain back pay to which she believed she was entitled. On November 3, 2010, Respondent, through Labor Relations Manager James Dyson, provided the Commission with evidence that the requested back pay had been paid to Lockett. On November 16, 2010, the Commission advised Lockett of the same and provided her with a Withdrawal Request Form (“Request”) to effectuate her desire to withdraw. To date, Lockett has neither participated in any subsequent proceedings related to her pending complaint, nor has she ever returned the executed Request to the Commission.

The Commission’s Procedural Rules state that “[a] Complainant may request to withdraw a Complaint or any part thereof at any time.” CCHR Pro. R. 480.160. If the request is knowingly and voluntarily made, the Commission enters an order dismissing the complaint. *Id.* The Commission’s Procedural Rules typically require that a complainant’s request to withdraw be in writing and signed by the complainant or his or her attorney of record, *see id.*, however, the Commission waives this requirement of a written withdrawal in cases where a complainant confirms his or her oral representation of a desire to withdrawal with a voluntary action. *See, e.g., Austin v. Sears, Roebuck & Co.*, 2010PA001 (CCHRC Feb. 5, 2014); *Mallette v. Cook County Health & Hospitals System*, 2012E012 (CCHRC Jan. 6, 2014).

Here, Hearing Officer Violet Clark advised Lockett in a letter dated January 11, 2011 that if she did not return the Request by February 15, 2011, Lockett’s complaint would be dismissed by the Commission. February 15, 2011 has come and gone without any further contact from Lockett. She has not contacted the Commission to rescind her oral request to withdraw. She has not contacted the Commission to contest Respondent’s representation that it met her condition precedent to settlement. She has not contacted the Commission to continue to prosecute her complaint. Under these circumstances, the Commission can presume that Lockett

knowingly and voluntarily intends to withdraw, despite not returning the Request as required by the Commission. See *Rodriguez v. Fantastic Sam's*, 2008E043 (CCHRC Feb. 21, 2014) (treating complainant's repeated oral representations to Hearing Officer and Legal Counsel for the Commission of an intent to withdraw as a sufficient basis for an order of dismissal).

For the foregoing reasons, the Commission hereby orders that complaint 2009E031 be DISMISSED pursuant to a VOLUNTARY WITHDRAWAL.

April 15, 2014

By delegation:

A handwritten signature in black ink, appearing to read 'R. Hakim', is written over a horizontal line.

Ranjit Hakim  
Executive Director of the Cook County  
Commission on Human Rights